

### **REMARKS**

Applicant respectfully requests reconsideration. Claims 1, 9, 11, 20, 22-24, 30, 31, 33, 35, 36, 40, and 46-53 were previously pending in this application. Claims 11, 20, 30, 31, 33, 35, 36, 40, and 46-53 have been cancelled. Claims 1 and 22 are currently amended. Support for the claim amendments can be found in the application as originally filed, for example, on pages 8 and 18 and in the claims as filed .

As a result, claims 1, 9, and 22-24 are currently pending and under examination. No new matter has been added.

### **Claim Objections**

Claims 1, 9, and 22-24 are objected to for containing non-elected subject matter. As currently amended, the claims do not contain non-elected subject matter. Accordingly, withdrawal of this objection is respectfully requested.

### **Rejections under 35 U.S.C. §112**

Claims 1, 23 and 24 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action alleges that the claims are indefinite for reciting the phrase “a halide derivative thereof” in the definition of R<sup>b</sup>.

Without conceding the correctness of the rejection and solely in the interest of expediting prosecution, independent claim 1 has been amended by deleting the phrase “a halide derivative thereof” from the definition of R<sup>b</sup>.

In view of the above amendment, withdrawal of this rejection under 35 U.S.C. §112, second paragraph, is respectfully requested.

### **Rejections under 35 U.S.C. §102(b)**

Claims 1, 23 and 24 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No.: 3,835,158 (“‘158 patent”).

Without conceding the correctness of the rejection and solely in the interest of expediting prosecution, claim 1 has been amended. As currently amended, Applicant believes that the instant claims are not anticipated by the ‘158 patent.

Accordingly, withdrawal of this rejection under 35 U.S.C. §102(b) is respectfully requested.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is kindly requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, any necessary extension of time is hereby requested. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825, Docket No.: N0260.70068US01.

Dated: March 9, 2010

Respectfully submitted,

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